

Center for *Children's* Advocacy

TESTIMONY OF THE CENTER FOR CHILDREN'S ADVOCACY IN SUPPORT OF RAISED BILL NO. 999, *AN ACT CONCERNING THE TIMELY TRANSFER OF STUDENT RECORDS, WITH PROPOSED AMENDMENTS REQUIRING THAT A FINE BE IMPOSED TO ANY DISTRICT THAT FAILS TO TRANSFER SCHOOL RECORDS IN A PROMPT MANNER.*

This testimony is submitted on behalf of the Center for Children's Advocacy, a private, non-profit legal organization affiliated with the University of Connecticut School of Law. The Center provides holistic legal services for poor children in Connecticut's communities through individual representation and systemic advocacy.

The Center for Children's Advocacy **supports** Raised Bill No. 999 to impose a financial penalty on a unified school district that fails to promptly deliver the student records of a student transferring from such unified school district to a new school district and to require school districts to immediately enroll students transferring from the unified school districts. In addition, the Center urges this committee **to amend Section 1 by making the penalty provisions applicable to any school district that fails to transfer a student's school record in a timely manner to a new school either intra or out of district.**

As educational attorneys we have addressed many instances where our clients have been deprived of substantial rights as a result of the former school or district failing to promptly transfer their records to the student's new school. The failure to promptly transfer a student record often leads to:

- An improper exclusion from school if the receiving school or district declines to enroll the student. We have clients who have missed *weeks* of school due to this inexcusable practice, which is unfortunately still very common.
- For those students who have an individualized education plan (IEP) or an accommodation plan pursuant to Section 504 of the Rehabilitation Act of 1973, a deprivation of reasonable accommodations required for a disabled student to access the curriculum.
- For those students who have an IEP, failure to provide the services required for the student to make educational progress, as detailed in the IEP.
- A violation of student and parental rights under the Family Educational Rights and Privacy Act (FERPA) in terms of access to the student's educational record.
- For countless students, parents, teachers, and administrators, it results in inadequate enrollment in classes that do not meet the needs of the student. When students are finally properly placed, they are often weeks behind their classmates, making it far more likely that they will fail the class.

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We strongly urge you to consider making the penalty provisions applicable to any school district that fails to promptly transfer a student's record either intra or out of district. We believe that these penalties will serve as additional deterrence and improve the response from school districts in ensuring the prompt transfer of student records. Students, particularly vulnerable ones, will be more likely to succeed if this bill is passed.

Respectfully submitted,

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